

**Exhibit 1**

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:	)	Case No. 12-12020 (MG)
	)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,	)	Chapter 11
	)	
Debtors.	)	Jointly Administered
_____	)	

**DECLARATION OF SARA LATHROP IN SUPPORT OF THE RESCAP BORROWER  
CLAIMS TRUST’S REPLY IN SUPPORT OF ITS NINETY-SECOND OMNIBUS  
OBJECTION TO CLAIMS ((I) NO LIABILITY BORROWER CLAIMS AND (II)  
ALLOWED IN FULL BORROWER CLAIM) AS TO CLAIM NO. 3725**

I, Sara Lathrop, hereby declare as follows:

1. I serve as Senior Claims Analyst for the ResCap Borrower Claims Trust (the “Borrower Trust”), established pursuant to the terms of the *Second Amended Joint Chapter 11 Plan Proposed by Residential Capital, LLC, et al. and the Official Committee of Unsecured Creditors* [Docket No. 6030] confirmed in the above-captioned Chapter 11 Cases. During the Chapter 11 Cases, I served as Regulatory Compliance Manager and Loss Mitigation Manager in the loan servicing department of Residential Capital, LLC (“ResCap”), a limited liability company organized under the laws of the state of Delaware and the parent of the other debtors in the above-captioned Chapter 11 Cases (collectively, the “Debtors”). I began my association with ResCap in June 2006 working as an associate in the Default Division of the loan servicing operation of GMAC Mortgage, LLC (“GMACM”). In 2008, I became a Default Quality Control Specialist, a position that I held until I became a Supervisor in the Default Division in 2009. In 2011, I became a Supervisor in the Loss Mitigation Division of GMACM’s loan servicing operation, and in February 2012, I became a Manager in that division. In this role, I oversaw

GMACM associates in their efforts to provide borrowers with loss mitigation options and assisted in the development of GMACM's loss mitigation policies. In January of 2013, I became the Regulatory Compliance Manager for ResCap. I became Senior Claims Analyst for ResCap in July 2013 and continued in this role when the ResCap Liquidating Trust (the "Liquidating Trust") was established in December 2013. In my current position as Senior Claims Analyst to the Borrower Trust, among my other duties, I continue to assist the Borrower Trust in connection with the claims reconciliation process.<sup>1</sup> I am authorized to submit this declaration (the "Declaration") in support of the *ResCap Borrower Claims Trust's Reply In Support of Its Ninety-Second Omnibus Objection To Claims ((I) No Liability Borrower Claims and (II) Allowed In Full Borrower Claim) As To Claim No 3725* (the "Reply").<sup>2</sup>

2. Except as otherwise indicated, all facts set forth in this Declaration are based upon my personal knowledge of the Debtors' operations, information learned from my review of relevant documents and information I have received through my discussions with other former members of the Debtors' management or other former employees of the Debtors, the Liquidating Trust, and the Borrower Trust's professionals and consultants. If I were called upon to testify, I could and would testify competently to the facts set forth in the Objection on that basis.

3. In my capacity as Senior Claims Analyst, I am intimately familiar with the claims reconciliation process in these Chapter 11 Cases with regard to Borrower Claims. Except as otherwise indicated, all statements in this Declaration are based upon my familiarity with the Debtors' Books and Records kept in the course of their regularly conducted business activities

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<sup>1</sup>The ResCap Liquidating Trust and the ResCap Borrower Claims Trust are parties to an Access and Cooperation Agreement, dated as December 17, 2013, which, among other things, provides the Borrower Trust with access to the books and records held by the Liquidating Trust and Liquidating Trust's personnel to assist the Borrower Trust in performing its obligations.

<sup>2</sup>Capitalized terms not defined herein shall have the meanings ascribed to them in the Reply.

(the “Books and Records”) as well as the Debtors’ schedules of assets and liabilities and statements of financial affairs filed in these Chapter 11 Cases (collectively, the “Schedules”), my review and reconciliation of claims, and/or my review of relevant documents. I or my designee at my direction have reviewed and analyzed the proof of claim form and supporting documentation filed by the Respondent. Since the Plan went effective and the Borrower Trust was established, I, along with members of the Liquidating Trust’s management or employees of the Liquidating Trust have consulted with the Borrower Trust to continue the claims reconciliation process, analyze claims, and determine the appropriate treatment of the same. In connection with such review and analysis, where applicable, I or Liquidating Trust personnel, together with professional advisors, have reviewed (i) information supplied or verified by former personnel in departments within the Debtors’ various business units, (ii) the Books and Records, (iii) the Schedules, (iv) other filed proofs of claim, and/or (vi) the official claims register maintained in the Debtors’ Chapter 11 Cases.

4. On or around November 8, 2012, the Respondent filed a proof of claim against Debtor Residential Capital, LLC (“ResCap”), designated as Claim No. 3725 (the “Claim”), asserting a general unsecured claim in an unliquidated amount.<sup>3</sup> See Exhibit A attached hereto. The basis for the claim as stated on the proof of claim form is “wrongful foreclosure cases pending appeal at federal and state courts: 11-56774 and G046818.”

5. According to the Debtors’ books and records, GMACM f/k/a GMAC Mortgage Corporation dba ditech.com originated a loan in the amount of \$296,000 to the Respondent on July 17, 2006 (the “Loan”), secured by a deed of trust on property located at 4004 West Fifth Street, #26, Santa Ana, California 92703 (the “Property”). See Note, attached hereto

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<sup>3</sup> The basis for the Claim demonstrates that it should have been asserted against GMACM, not ResCap. If the Court does not grant the Objection, the Borrower Trust reserves its rights to redesignate the Claim as one against GMACM.

as Exhibit B, and Deed of Trust, attached hereto as Exhibit C. GMACM transferred its interest to Federal National Mortgage Association (“Fannie Mae”).

6. GMACM serviced the Loan from origination until it transferred servicing of the Loan to Nationstar Mortgage, LLC (“Nationstar”) on December 1, 2008. See Goodbye Letter, attached hereto as Exhibit D.

7. The Respondent defaulted on the Loan in 2009, and as a result a Notice of Default was recorded against the Property on May 6, 2010. See Notice of Default, attached hereto as Exhibit E.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 9, 2016

/s/ Sara Lathrop

Sara Lathrop  
Senior Claims Analyst for the ResCap  
Borrower Claims Trust